

MANDATE

E.D.N.Y. – Bklyn
17-cv-3946
13-cr-150
Kuntz, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 26th day of April, two thousand nineteen.

Present:

Amalya L. Kearse,
Ralph K. Winter,
Rosemary S. Pooler,
Circuit Judges.

Mohammad Ajmal Choudhry,

Petitioner-Appellant,

v.

18-3487

United States of America,

Respondent-Appellee.

Appellant moves for a certificate of appealability and to consolidate the present appeal with his appeal from the district court's order denying a new trial. Upon due consideration, it is hereby ORDERED that Choudhry's motion for a certificate of appealability is DENIED and the present appeal is DISMISSED because he has not made a "substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c); *see also Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003). Accordingly, Choudhry's motion to consolidate is MOOT.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit







MANDATE ISSUED ON 06/18/2019